REMARKS

Status Of Application

Claims 1-25 were pending in the application; the status of the claims is as follows:

Claims 7-16, drawn to a non-elected invention, are cancelled without prejudice by this amendment.

Claims 1-6 and 23-26 are allowed.

Claims 17 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Okazaki, U.S. Patent No. 5,783,899 (hereinafter the "Okazaki patent").

Claims 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Amendments

Claim 17 has been amended to more particularly point out and distinctly claim the invention. No new matter was added. Claim 19 has been amended into independent form, as instructed in the Office Action, to include the limitations of the base claim and all intervening claims from which it depends. Claim19 is now in condition for allowance.

Allowable Subject Matter

The allowance of claims 1-6 and 23-26, by the Examiner, is noted with appreciation.

The indication that claims 19-22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is noted with appreciation.

Claim 19 has been rewritten in independent form, including all of the limitations of the base claim and any intervening claims, as suggested by the Examiner. Claim 19 is now considered to be in condition for allowance. Claims 20-22 depend from now allowable independent claim 19. Therefore, they too are allowable.

Accordingly, it is respectfully requested that the objection to claims 19-22 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, be reconsidered and withdrawn.

35 U.S.C. § 102(b) Rejection

The rejection of claims 17 and 18 under 35 U.S.C. § 102(b) as being anticipated by the Okazaki patent, is respectfully traversed based on the following.

Claim 17 has been amended to recite the distinction that the first and second drive signals be **time varying**. This provides an effect on the piezoelectric device equivalent to that of a signal having double the amplitude of the signal actually applied. (Figure 4D and specification, page 12, line 15 - page 13, line 7).

In contrast, with respect to the Okazaki patent, the ground, G, is a fixed signal and therefore, by definition, does not vary over time. A signal that does not vary cannot provide the above desirable effect. The Okazaki patent does not disclose a linear motor having a first **time varying** drive signal and a second **time varying** drive signal. Therefore, claim 17 is not anticipated by the Okazaki patent.

As claim 18 depends from non-anticipated independent claim 17, it too is not anticipated by the Okazaki patent.

Accordingly, it is respectfully requested that the rejection of claims 17 and 18 under 35 U.S.C. § 102(b) as being anticipated by the Okazaki patent, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By:_____

Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicant

DAS/bar
SIDLEY AUSTIN BROWN & WOOD
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3482
Main: (214) 981-3300
Facsimile: (214) 981-3400
October 26, 2001

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

The following is a marked-up version of the changes to the claims which are being made in the attached response to the Office Action dated July 11, 2001.

IN THE CLAIMS:

Claims 7-16 have been cancelled.

17. (Twice Amended) A driving apparatus for driving a piezoelectric element serving as a driving source of an actuator comprising:

a first driver for applying a first time varying driving signal to the piezoelectric element in a polarization direction thereof; and

a second driver for applying a second time varying driving signal to the piezoelectric element equal to or smaller than a voltage of inversion of polarization of the piezoelectric element in a direction opposite to the polarization direction.

19. (Once Amended) A driving apparatus [in accordance with claim 17 further comprising] for driving a piezoelectric element serving as a driving source of an actuator comprising:

a first driver for applying a first driving signal to the piezoelectric element in a polarization direction thereof;

a second driver for applying a second driving signal to the piezoelectric element equal to or smaller than a voltage of inversion of polarization of the piezoelectric element in a direction opposite to the polarization direction;

an electric power supply for supplying electric power to the first and second drivers; and

a waveform generator for generating a time varying signal, [and] wherein only the first driver applies the first driving signal corresponding to the waveform of the time varying signal when the time varying signal is larger than a predetermined level; and

wherein both of the first and second driving signals correspond to the time varying signal when the time varying signal is smaller than the predetermined level.

20. (Once Amended) A driving apparatus in accordance with claim 19, wherein the first and second driving signals are 0V when the time varying signal is equal to the predetermined level.